

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

MICHAEL ANDERSON, ESTATE OF  
MARY ANN BRASHEARS,

*Plaintiff,*

v.

SHELBY RESOURCES MANAGEMENT  
CORP., ET AL

*Defendants.*

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Case No. 2:18-CV-00347-JRG-RSP

**JUDGMENT**

Before the Court is the Report & Recommendation [Dkt. No. 19] filed on January 16, 2019 by Magistrate Judge Payne, which recommends that Defendants' Motion to Dismiss [Dkt. No. 12] for lack of subject matter jurisdiction be granted. No party has objected to the Report & Recommendation.

Having reviewed the record *de novo* the Court concludes that the Report & Recommendation [Dkt. No. 19] is correct and is hereby adopted. Accordingly, Defendants' Motion to Dismiss [Dkt. No. 12] is **GRANTED** and this action is **DISMISSED** for lack of subject matter jurisdiction. All remaining motions are hereby **DENIED**.

**So ORDERED and SIGNED this 12th day of February, 2019.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE